

**§ 233. Books and records; inspection**

The corporation shall keep current and complete books and records of account and shall also keep minutes of the proceedings of the national conventions, the national executive committee, and the national council. It shall keep at its principal office a record of the names and addresses of its members entitled to vote. All books and records of the corporation may be inspected by any member or his agent or attorney for any proper purpose at any reasonable time.

(June 30, 1950, ch. 431, § 13, 64 Stat. 314.)

**§ 234. Loans to officers; liability**

The corporation shall not make any loans to its officers or members of the national executive committee. Any member of the national executive committee who votes for or assents to the making of a loan or advance to an officer of the corporation, and any officer who participates in the making of such a loan or advance, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

(June 30, 1950, ch. 431, § 14, 64 Stat. 314.)

**§ 235. Repealed. Pub. L. 88-504, § 4(12), Aug. 30, 1964, 78 Stat. 637**

Section, act June 30, 1950, ch. 431, § 15, 64 Stat. 315, related to audit of financial transactions and report of such audit to Congress. See sections 1101 to 1103 of this title.

**§ 236. Headquarters; agent for service of process**

The national headquarters of the corporation shall be located in the District of Columbia. The corporation shall maintain at all times in the District a designated agent authorized to accept service of legal process for the corporation. Notice to or service upon such agent shall be deemed to be notice to or service upon the corporation.

(June 30, 1950, ch. 431, § 16, 64 Stat. 315.)

**§ 237. Agents for service of process**

As a condition precedent to the exercise of any power or privilege granted or conferred under this chapter, the corporation shall file in the office of the secretary of state, or similar officer, in each State and in each Territory or possession of the United States, in which subordinate departments and local chapters are organized, the name and post office address of an authorized agent in such State upon whom legal process or demands against the corporation may be served.

(June 30, 1950, ch. 431, § 17, 64 Stat. 315.)

**§ 238. Exclusive right to name, seals, emblems, and badges**

The corporation and its subordinate departmental subdivisions and local chapters shall have the sole and exclusive right to have, and to use in carrying out its object and purpose, the name of "Reserve Officers Association of the United States" and such seals, emblems, and badges as the corporation may lawfully adopt.

(June 30, 1950, ch. 431, § 18, 64 Stat. 315.)

**§ 239. Reservation of right to amend or repeal chapter**

The right to alter, amend, or repeal this chapter is expressly reserved.

(June 30, 1950, ch. 431, § 19, 64 Stat. 315.)

**CHAPTER 13—NATIONAL ACADEMY OF SCIENCES**

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**§ 251. Corporation created**

Louis Agassiz, Massachusetts; J. H. Alexander, Maryland; S. Alexander, New Jersey; A. D. Bache, at large; F. B. Barnard, at large; J. G. Barnard, United States army, Massachusetts; W. H. C. Bartlett, United States Military Academy, Missouri; U. A. Boyden, Massachusetts; Alexis Caswell, Rhode Island; William Chauvenet, Missouri; J. H. C. Coffin, United States Naval Academy, Maine; J. A. Dahlgren, United States navy, Pennsylvania; J. D. Dana, Connecticut; Charles H. Davis, United States navy, Massachusetts; George Engelmann, St. Louis, Missouri; J. F. Frazer, Pennsylvania; Wolcott Gibbs, New York; J. M. Gillespie, United States navy, District of Columbia; A. A. Gould, Massachusetts; B. A. Gould, Massachusetts; Asa Gray, Massachusetts; A. Guyot, New Jersey; James Hall, New York; Joseph Henry, at large; J. E. Hilgard, at large, Illinois; Edward Hitchcock, Massachusetts; J. S. Hubbard, United States naval observatory, Connecticut; A. A. Humphreys, United States army, Pennsylvania; J. L. Le Conte, United States army, Pennsylvania; J. Leidy, Pennsylvania; J. P. Lesley, Pennsylvania; M. F. Longstreth, Pennsylvania; D. H. Mahan, United States Military Academy, Virginia; J. S. Newberry, Ohio; H. A. Newton, Connecticut; Benjamin Peirce, Massachusetts; John Rodgers, United States navy, Indiana; Fairman Rogers, Pennsylvania; R. E. Rogers, Pennsylvania; W. B. Rogers, Massachusetts; L. M. Rutherford, New York; Joseph Saxton, at large; Benjamin Silliman, Connecticut; Benjamin Silliman, junior, Connecticut; Theodore Strong, New Jersey; John Torrey, New York; J. G. Totten, United States army, Connecticut; Joseph Winlock, United States Nautical Almanac, Kentucky; Jeffries Wyman, Massachusetts; J. D. Whitney, California, their associates and successors duly chosen, are incorporated, constituted, and declared to be a body corporate, by the name of the National Academy of Sciences.

(Mar. 3, 1863, ch. 111, § 1, 12 Stat. 806.)

**§ 252. Powers of corporation**

The National Academy of Sciences shall have power to make its own organization, including its constitution, by-laws, and rules and regulations; to fill all vacancies created by death, resignation, or otherwise; to provide for the elec-

tion of foreign and domestic members, the division into classes, and all other matters needful or usual in such institution, and to report the same to Congress.

(Mar. 3, 1863, ch. 111, §2, 12 Stat. 806; July 14, 1870, ch. 264, 16 Stat. 277.)

#### CODIFICATION

Provisions of this section which limited the National Academy of Sciences to not more than fifty ordinary members were omitted by act July 14, 1870.

### § 253. Meeting; duties; expenses and compensation

The National Academy of Sciences shall hold an annual meeting at such place in the United States as may be designated, and the academy shall, whenever called upon by any department of the Government, investigate, examine, experiment, and report upon any subject of science or art, the actual expense of such investigations, examinations, experiments, and reports, to be paid from appropriations which may be made for the purpose, but the academy shall receive no compensation whatever for any services to the Government of the United States.

(Mar. 3, 1863, ch. 111, §3, 12 Stat. 806.)

#### EX. ORD. NO. 2859. NATIONAL RESEARCH COUNCIL OF NATIONAL ACADEMY OF SCIENCES

Ex. Ord. No. 2859, May 11, 1918, as amended by Ex. Ord. No. 10668, May 10, 1956, 21 F.R. 3155; Ex. Ord. No. 12832, Jan. 19, 1993, 58 F.R. 5905, provided:

National Research Council of the National Academy of Sciences

WHEREAS (1) the congressional charter of the National Academy of Sciences ("Academy") charges it, upon call from any U.S. Government Department, to investigate, examine, experiment, and report upon any subject of science or art and (2) the actual expenses of the Academy for such investigations, examinations, experiments, and reports shall be paid to the Academy through one or more of the following: private gifts and bequests; appropriations for the benefit of the Academy; grants-in-aid, contracts, and other forms of financial agreement with executive departments and agencies, provided that the Academy shall receive no compensation whatever for any services to the Government of the United States; and

WHEREAS the National Research Council ("Council") was organized in 1916 at the request of the President by the National Academy of Sciences, under its congressional charter, as a measure of national preparedness; and

WHEREAS the Council is the principal operating agency of the National Academy of Sciences and the National Academy of Engineering, the latter having been established in 1964 under the charter of the National Academy of Sciences; and

WHEREAS the Institute of Medicine of the National Academy of Sciences, established in 1970 under the Academy's charter, conducts its programs and activities under the approval, operating, and review procedures of the Council; and

WHEREAS in recognition of the work accomplished through the Council in organizing research, in furthering science, and in securing cooperation of government and nongovernment agencies in the solution of their problems, the Council has been perpetuated by the Academy as requested by the President in Executive Order No. 2859 of May 11, 1918; and

WHEREAS the effective prosecution of the Council's work may require the close cooperation of the scientific and technical branches of the Government, both military and civil, and makes participation by officers

and employees of the Government in the work of the Council desirable; and

NOW, THEREFORE, by the authority vested in me as President by the Constitution and the laws of the United States of America, it is ordered as follows:

#### 1. The functions of the Council shall be as follows:

(a) To stimulate research in the mathematical, physical, biological, environmental, and social sciences, and in the application of these sciences to engineering, agriculture, medicine, and other useful arts, with the object of increasing knowledge, of strengthening the national security including the contribution of science and engineering to economic growth, of ensuring the health of the American people, of aiding in the attainment of environmental goals, and of contributing in other ways to the public welfare.

(b) To survey the broad possibilities of science, to formulate comprehensive projects of research, and to develop effective means of utilizing the scientific and technical resources of the country for dealing with such projects.

(c) To promote cooperation in research, at home and abroad, in order to secure concentration of effort, minimize duplication, and stimulate progress; but in all cooperative undertakings to give encouragement to individual initiative, as fundamentally important to the advancement of science.

(d) To serve as a means of bringing American and foreign investigators into active cooperation with the scientific and technical services of the Federal Government.

(e) To direct the attention of scientific and technical investigators to the importance of military and industrial problems in connection with national security, to the importance of environmental problems in connection with public health and the economy, and to aid in the solution of these problems by organizing specific research.

(f) To gather and collate scientific and technical information, at home and abroad, in cooperation with governmental and other agencies, and to disseminate such information to duly accredited persons and the public.

2. Scientists, engineers, and other technically qualified professionals who are officers or employees of departments and agencies of the executive branch of the Government are encouraged to participate in the work of the Council as requested by the Council to the extent authorized by the head of the officer's or employee's agency or department and permitted by law.

3. To the extent permitted by law and regulation, and in accordance with the congressional charter of the Academy, the actual expense of investigations, examinations, experiments, and reports by the Academy for the executive branch of the Government shall be paid to the Academy through one or more of the following: private gifts and bequests; appropriations for the benefit of the Academy; grants-in-aid, contracts, and other forms of financial agreement with executive departments and agencies. The Academy shall receive no compensation whatever for any services to the Government of the United States. Further, the Academy shall be subject to all provisions of OMB Circular A-122, "Cost Principles for Non-Profit Organizations," and to such other requirements regarding or limiting the Academy's recovery of costs as the Director of the Office of Management and Budget may specify from time to time in writing to the Academy and to agencies and departments of the Government.

4. When a department or agency of the executive branch of the Government determines that the Academy, because of its unique qualifications, is the only source that can provide the measure of expertise, independence, objectivity, and audience acceptance necessary to meet the department's or agency's program requirements, acquisition of services by the Academy may be obtained on a noncompetitive basis if otherwise in accordance with applicable law and regulations.